

Judge Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 FRANKIE ROBERTSON BUTLER &,)
 MICHAEL ANTHONY BELL,)
)
 Defendant.)
)

NO. CR06-0301L

ORDER GRANTING
STIPULATED MOTION TO
CONTINUE TRIAL

THE COURT having considered the stipulation of the parties, the records and files herein, including, but not limited to Frankie Robertson Butler's agreement to extend the time for trial, hereby makes the following findings of fact:

1. The Court finds that the defendants, Frankie Robertson Butler and Michael Anthony Bell, are properly joined for trial.

2. The Court finds that it is unreasonable to expect counsel for Mr. Bell to be prepared for trial on December 4, 2006, five days after Mr. Bell is expected to make his initial appearance. The Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).

3. The Court finds that continuing this case to January 29, 2007, a date within Mr. Bell's 70-day time for trial period, is reasonable and does not violate Mr. Butler's speedy-trial rights, since the continuance provides Mr. Bell's counsel with the necessary time to prepare for trial and results in no prejudice to Mr. Butler, within the meaning of 18 U.S.C. § 3161(h)(7).

